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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ENVIRONMENTAL CLEANUP

September 11, 2012

The Honorable Chief Allan
Chairman
Coeur d'Alene Tribe
P.O. Box 408
Plummer, Idaho 83851

Re: Government-to-Government Consultation for the Avery Landing Site, Cultural Resources Survey

Dear Chairman Allan:

The U.S. Environmental Protection Agency wants to offer formal, government-to-government consultation with the Coeur d'Alene Tribe regarding the results of the 2012 cultural resources survey for the Avery Landing Site ("Site") located in Shoshone County, Idaho.

At the direction of EPA, a Class I Inventory of the Site was conducted by Applied Archaeological Research, Inc. ("AAR") in 2010. This assessment of the archaeological potential of the Site was conducted in accordance with the *Basic Guidance for [Section 106] Consulting with the Idaho State Historic Preservation Office*. A copy of the report from that work titled "Results of a Class I Inventory of the Avery Landing Project Area, Shoshone County, Idaho" was provided by the EPA to the Coeur d'Alene Tribe in January 2011. Additionally, at that same time, the EPA offered formal, government-to-government consultation to the Coeur d'Alene Tribe regarding the proposed cleanup action. No comments were received by the EPA from the Coeur d'Alene Tribe pertaining to either the anticipated cleanup work or the historical significance of the Site.

As part of the continuing effort of the EPA to address potentially important historical property issues, a pedestrian survey and associated fieldwork was conducted by AAR at the Site during May 2012. Copies of the results from that work titled "Results of as Cultural Resources Survey of the Avery Landing Project Area, Shoshone County Idaho" (CRS) are enclosed with this letter. One copy is printed and one copy is in PDF format on a compact disc.

The EPA initiated cleanup of the Site in June 2012. As you may already be aware, the Site presents a continuing source of oil and hazardous substances contamination to the adjacent St. Joe River. Prior to initiating the cleanup work, the EPA was made aware by AAR that a total of four potentially historic features related to the roundhouse and turntable of the former railroad had been identified during the pedestrian survey and fieldwork. There has been no cleanup work conducted in the immediate area of these four features. Through this letter, the EPA is providing the Coeur d'Alene Tribe an opportunity to consult with us on upcoming work that will entail excavating contaminated soil in closer proximity to the historic features of the site.

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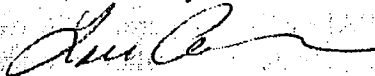
In the CRS, AAR has provided a set of recommendations for how to proceed with work within the area of the roundhouse and turntable at the Site. With one exception and to the extent practicable taking into account the exigencies of the Site, the EPA plans to address the contamination in this area while

following the procedures recommended by AAR in the CRS. In this regard, the EPA is currently intending to have a cultural resource monitor present during the surface level excavation work in this area and to otherwise monitor the cleanup work in the manner identified in the CRS. Due to the nature of the contamination and contours at this Site, as well as the associated costs, the EPA may not be able to accommodate the halting of cleanup work as far as 100 feet away from the discovery or observation of a potentially important feature.

The EPA would appreciate receiving any comments the Coeur d'Alene Tribe may have on the CRS and the explanation of our cleanup work provided in this letter within 30 days of your receipt of this letter.

You are welcome to contact me at (206) 553-1855 or have your staff contact Earl Liverman at (208) 245-0147 if you have any questions regarding this letter.

Sincerely



for Daniel D. Opalski

Director

Enclosure

cc: Jill Wagner, Coeur d'Alene Tribe
Richard Mednick, EPA